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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,) CASE NO. CR99-420-JCC
09 Plaintiff,)
10 v.) SUMMARY REPORT OF U.S.
11 ERIN MICHAEL SOLOMON,) MAGISTRATE JUDGE AS TO
12 Defendant.) ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
13 _____)

14 An evidentiary hearing on supervised release revocation in this case was scheduled before
15 me on December 19, 2007. The United States was represented by AUSA Susan M. Roe and the
16 defendant by Paula S. Deutsch. The proceedings were digitally recorded.

17 Defendant had been sentenced on or about January 21, 2000 by the Honorable John C.
18 Coughenour on a charge of Possession of Cocaine Base with Intent to Distribute, and sentenced
19 to 60 months custody, 5 years supervised release. (Dkt. 43.)

20 The conditions of supervised release included the standard conditions plus the
21 requirements that defendant be prohibited from possessing a firearm or destructive device, submit
22 to mandatory drug testing, participate in a substance abuse program, submit to search, participate

01 in a mental health program, and not possess any identification documents in any but his true
02 identity.

03 Defendant's probation officer reported on September 20, 2004 that defendant had
04 violated the conditions of release by using hydrocodone. Defendant was reprimanded, placed in
05 a structured testing program with increased frequency of testing and referred for intensive
06 outpatient treatment. No further action was taken at the time. (Dkt. 50.)

07 On November 22, 2004, defendant's probation officer reported that defendant had violated
08 the conditions of release by using cocaine. Similar actions were taken, plus defendant was
09 referred to a community corrections residential placement program. (Dkt. 51.)

10 On May 5, 2005, defendant admitted to violating the conditions of supervised release by
11 possessing cocaine, possessing oxycontin, and possessing drug paraphernalia. (Dkt. 60.)
12 Defendant was remanded to custody for 6 months, with credit for 102 days served, plus
13 supervised release for 54 months with the previous conditions, plus the requirements that
14 defendant not be self employed or work for friends or relatives without approval of his probation
15 officer, not begin employment without approval of his probation officer, not work for cash,
16 provide verification of wages to probation officer, not possess any device which would interfere
17 with the urinalysis testing program, serve two months at Pioneer Center and serve two months
18 at Puyallup Center. (Dkt. 63.)

19 On June 27, 2007, defendant admitted to violating the conditions of supervision by
20 committing the crime of possession of cocaine, committing the crime of possession of oxycontin,
21 and committing the crime of possession of marijuana. (Dkt. 74.) Defendant was sentenced to 8
22 months in custody with credit for inpatient drug treatment, plus 46 months supervised release on

the previously imposed conditions.

In an application dated September 4, 2007 (Dkt.81), U.S. Probation Officer Jerrod Akins alleged the following violation of the conditions of supervised release:

1. Failing to participate in the SeaDruNar drug treatment program, in violation of the condition that he participate as instructed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or substance abuse.

Defendant was advised in full as to the charge and as to his constitutional rights.

Defendant admitted the alleged violation and waived any evidentiary hearing as to whether it occurred. (Dkt. 89.)

I therefore recommend the Court find defendant violated his supervised release as alleged, and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be set before Judge Coughenour.

Pending a final determination by the Court, defendant has been detained.

DATED this 19th day of December, 2007.



Mary Alice Theiler
United States Magistrate Judge

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| cc: | District Judge: | Honorable John C. Coughenour |
| | AUSA: | Susan M. Roe |
| | Defendant's attorney: | Paula S. Deutsch |
| | Probation officer: | Lisa Combs, Jerrod Akins |